

Remarks

In the non-final Office Action dated March 17, 2009, the following rejections are presented: claims 1, 5-8 and 10-16 stand rejected under 35 U.S.C. § 102(b) over Ooishi (U.S. Patent No. 6,424,585); and claims 2-4 stand rejected under 35 U.S.C. § 103(a) over the '585 reference in view of design choice case law. Claim 9 is objected to as being dependent upon a rejected base claim but would be allowable if rewritten. Applicant addresses these rejections in the following discussion which does not acquiesce in any regard to averments in this Office Action (unless Applicant expressly indicates otherwise).

Applicant respectfully traverses the § 102(b) and § 103(a) rejections because the cited Ooishi reference either alone or in combination with Design Choice case law lacks correspondence. For example, neither of the asserted references teaches the claimed invention “as a whole” (§ 103(a)) including aspects regarding, *e.g.*, logic circuitry to generate an enable signal in response to a battery supply voltage. As a further example, neither reference teaches aspects regarding an alternative pull-up circuit block that, in response to a second logical value of the enable signal, brings the voltage on the pull-up circuit output to a reference voltage derived from the battery supply. As such, the rejections fail.

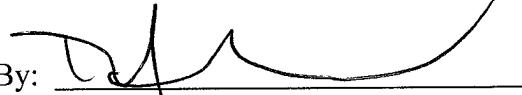
Applicant appreciates the indication that the subject matter of claim 9 would be allowable if rewritten. Applicant believes, however, that rewriting claim 9 is not required but submits herewith new claims 17-20 which largely track with claims 1 and 9, less some selected language from claim 9. New claims 18-20 largely track with claims 10-12. Support therefor is present via the original specification including original claims.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, David Cordeiro, of NXP Corporation at (408) 474-9063 (or the undersigned).

Please direct all correspondence to:

Corporate Patent Counsel
NXP Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131

CUSTOMER NO. 65913

By: 
Name: Robert J. Crawford
Reg. No.: 32,122
651-686-6633
(NXPS.603PA)